

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

12604/25

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/583479**

INTERNATIONAL APPLICATION NO

PCT/EP2004/013280

INTERNATIONAL FILING DATE

November 23, 2004

PRIORITY DATE CLAIMED:

19 December 2003 (19.12.03)

TITLE OF INVENTION

**SYSTEM**

APPLICANT(S) FOR DO/EO/US

Olaf SIMON; Jochen MAHLEIN; Josef SCHMIDT

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (German Language)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification and Marked-Up Version of the Substitute Specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Form PCT/RO/101, Published International Application WO 2005/064764 A1, and International Search Report

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<div style="font-size: 2em; font-weight: bold;">10/583479</div>		PCT/EP2004/013280		12604/25	

21. The following fees are submitted:

<input checked="" type="checkbox"/> a) Basic National Fee .....	\$ 300.00	\$ 300.00
<input checked="" type="checkbox"/> b) Examination Fee .....	\$ 200.00	\$ 200.00
<input checked="" type="checkbox"/> c) Search Fee .....	\$ 400.00	\$ 400.00
<b>TOTAL OF ABOVE CALCULATIONS</b>	<b>\$900.00</b>	<b>\$ 900.00</b>

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
-100	/50=		x \$250	\$

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	14 - 20 =	0	x \$50.00	\$ 0.00
Independent Claims	1 - 3 =	0	x \$200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 0.00</b>

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL =**

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

**TOTAL NATIONAL FEE =**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

**TOTAL FEES ENCLOSED =**

	Amount to be refunded:	\$
	Amount to be charged	\$ 900.00

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 11-0600 in the amount of \$900.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KENYON & KENYON LLP

One Broadway

New York, New York 10004

**CUSTOMER NO. 26646**

Cliff A. Ulrich

SIGNATURE

Clifford A. Ulrich (Reg. No. 42,194)

NAME

June 19, 2006

DATE